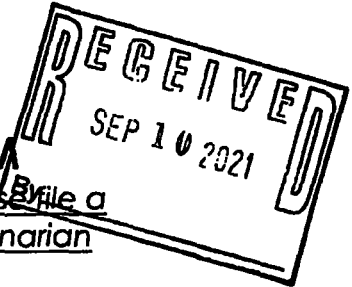


ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD
1740 W. ADAMS ST., SUITE 4600, PHOENIX, ARIZONA 85007
PHONE (602) 364-1PET (1738) FAX (602) 364-1039
VETBOARD.AZ.GOV

COMPLAINT INVESTIGATION FORM

If there is an issue with more than one veterinarian please file a
separate Complaint Investigation Form for each veterinarian



PLEASE PRINT OR TYPE

FOR OFFICE USE ONLY

Date Received: Sept. 10, 2021

Case Number: 22-22

A. THIS COMPLAINT IS FILED AGAINST THE FOLLOWING:

Name of Veterinarian/CVT: Kristin Kelly - License number AZ7521

Premise Name: Animal Care Hospital of Phoenix

Premise Address: 3131 East Thomas Road

City: Phoenix State: AZ Zip Code: 85016

Telephone: _____

B. INFORMATION REGARDING THE INDIVIDUAL FILING COMPLAINT*:

Name: Tara-lyn Temple

Address: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]

Home Telephone: _____ Cell Telephone: [REDACTED]

*STATE LAW REQUIRES WE HAVE TO DISCLOSE YOUR NAME UNLESS WE CAN SHOW THAT DISCLOSURE WILL RESULT IN SUBSTANTIAL HARM TO YOU, SOMEONE ELSE OR THE PUBLIC PER A.R.S. § 41-1010. IF YOU HAVE REASON TO BELIEVE THAT SUBSTANTIAL HARM WILL RESULT IN DISCLOSURE OF YOUR NAME PLEASE PROVIDE COPIES OF RESTRAINING ORDERS OR OTHER DOCUMENTATION.

C. PATIENT INFORMATION (1):

Name: N/A

Breed/Species: _____

Age: _____ Sex: _____ Color: _____

PATIENT INFORMATION (2):

Name: _____

Breed/Species: _____

Age: _____ Sex: _____ Color: _____

D. VETERINARIANS WHO HAVE PROVIDED CARE TO THIS PET FOR THIS ISSUE:

Please provide the name, address and phone number for each veterinarian.

N/A

E. WITNESS INFORMATION:

Please provide the name, address and phone number of each witness that has direct knowledge regarding this case.

Ann Matherlee - _____

Andrea Markie - _____

Attestation of Person Requesting Investigation

By signing this form, I declare that the information contained herein is true and accurate to the best of my knowledge. Further, I authorize the release of any and all medical records or information necessary to complete the investigation of this case.

Signature: 

Date: 9/10/21

F. ALLEGATIONS and/or CONCERNS:

Please provide all information that you feel is relevant to the complaint. This portion must be either typewritten or clearly printed in ink.

On August 31, 2021, Dr. Kristin Kelly walked off the job before her first appointment of the day, abandoning the day's – and month's - schedule of patients that needed care. She also left many medical records incomplete.

This complaint regarding Dr. Kelly's unprofessional behavior and disregard for continuity of care involves the circumstances described below:

Two days earlier, August 29th, Dr. Kelly submitted to me her resignation via email, effective September 30. The following morning, (August 30th) I convened a staff meeting to announce Dr. Kelly ' s resignation. I expressed gratitude for her time with us (as student, mentee, technician and veterinarian) through the years, and with best wishes for her future endeavors. She expressed that it was a difficult decision.

Also on August 30th, our technician supervisor, Amber Harings (and Dr. Kelly's friend), submitted her resignation to our manager, Ann Matherlee. Amber informed Ann that she was going with Dr. Kelly to another clinic. Amber requested that she be allowed to tell the staff herself about her resignation. Ann made no commitment.

On the morning of August 31st, it became clear that Amber had told some staff, and they were texting others. Ann and I had a brief discussion about staff perceptions, and decided to employ a more professional and reassuring approach to staff communications. We felt it was our responsibility to control the narrative during this particularly tumultuous time.

When Dr. Kelly and Amber observed Ann speaking to staff, they together confronted Ann in her office with raised voices and extensive cursing (I have had to repeatedly coach Dr. Kelly about her cursing in front of staff and within hearing of clients). Their angry exchange was conducted with the office door open, and was heard in the lobby by our CSRs and clients. Dr. Kelly and Amber were furious that Ann was communicating with staff, claiming that Ann had promised Amber that Amber would inform staff of her resignation.

After several minutes of yelling, Dr. Kelly abruptly announced "that's it, I'm leaving! Come on Amber!" They passed me in the hallway as I was entering an exam room and Dr. Kelly said, "Temple, I'm out of here! – again in front of staff and clients. " They collected their belongings, did not surrender their keys, and walked out.

I was informed at lunch time that they were posting pictures on social media, drinking at a local restaurant.

Oct 11, 2021

Veterinary Investigations Division
Arizona State Veterinary Medical Examining Board
1740 West Adams Street, Suite 4600
Phoenix, Arizona 85007

To whom it may concern,

I, Kristin L. Kelly DVM, received a Complaint Investigation Form from the Arizona State Veterinary Medical Examining Board on Friday, September 17th, 2021, that was filed by my former employer, Tara-lyn Temple DVM (owner and practicing veterinarian of Animal Care Hospital of Phoenix), on September 10th, 2021. Please find attached my narrative account of the events that transpired in addition to statements from former employees, contact information for individuals that have pertinent information about the events that have transpired, as well as pertinent documents relating to the information provided below. Please let me know if you have any further questions or if you are in need of any further documentation or information pertaining to the events described.

Sincerely,

Kristin L. Kelly, DVM
AZ License 7521

Oct 11, 2021

To whom it may concern,

I was employed by Animal Care Hospital of Phoenix for the duration of September 3rd, 2019 through August 31st, 2021. Prior to being an employee, my family and I have been clients of Animal Care Hospital of Phoenix for around 20 years. During my time as an employee, I have been witness to and a victim of management bullying employees and spouses/significant others of employees both to their face and behind their backs, personal and confidential information about employees being shared by management to other employees (Amber Harings and Sabrina Fernandez, listed below, can attest to this), management degrading clientele, mistreatment due to being a single mother, numerous medical errors being made (by staff and doctors) that were brushed under the table even when the health of the animal was at risk (animals being given unknown injections, wrong medications being dispensed, surgical errors, etc), controlled substances not being accounted for and management refusing to address any discrepancies, in addition to being forced to work when COVID-19 positive and forced to lie and continue working. I have been unhappy for well over a year and have attempted to resign on numerous occasions as explained below. I have sat down with Dr. Temple countless times over the past two years and explained to her why I was unhappy and provided her example upon example of the mistreatments that have gone on. Dr. Temple had promised change each time, but ultimately never followed through. The working conditions at Animal Care Hospital deteriorated to a point where it became evident that I could no longer perform my job in an environment in which I felt safe without being bullied and harassed or watching other staff members be bullied and harassed; and I therefore made the decision to leave. Dr. Temple has submitted a statement to the board that is inaccurate and does not depict what was actually said or discussed between Ann Matherlee (office manager), myself, and Amber Harings (Certified Veterinary Technician). Dr. Temple was not present for the interaction in any capacity and therefore could not possibly provide the Arizona State Veterinary Medical Examining Board with an accurate depiction of what was said or the events that transpired. I have provided the account of the situation that transpired and am happy to provide any further documentation that I can to support the below statement.

On Saturday, August 28th, 2021, I made the decision to email my letter of resignation to both Dr. Temple (owner and practicing veterinarian at Animal Care Hospital of Phoenix) and Ann Matherlee (office manager). The reason for choosing to email my letter of resignation was solely based on the numerous attempts that I had tried to resign in person with Dr. Temple and was bullied and emotionally manipulated to the point where my own personal guilt of abandoning my staff and the consequences I was told they would face kept me from following through. With the encouragement of my family, friends, and many staff members at Animal Care Hospital, I made the decision to finally follow through with my resignation. I never received acknowledgement of my letter of resignation from Dr. Temple nor Ann Matherlee – neither through email nor in person one on one.

On Monday, August 30th, 2021, I came to work, put my belongings away in my office, and went to our back treatment area to begin my workups and plans for my surgical patients that day. Nothing was said to me by Dr. Temple nor Ann about my resignation when I came in although I

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interacted with both. As I was sitting at the treatment room computer typing my pre-surgical notes, Dr. Temple announced, "Ok, it looks like we have everyone here." I looked up from where I was sitting and saw that the entire staff had been brought back into the treatment area. Dr. Temple then proceeded to announce my resignation to the entire staff which caught me completely off guard due to the zero communication and even acknowledgement that had come from her and Ann Matherlee in regards to my letter of resignation. It was clear that Dr. Temple wanted to spin my resignation to her advantage (which Ann Matherlee later stated as fact) as she proceeded to reassure the staff that everyone's jobs were safe and she would not need to let anyone go, the planned remodel would still take place as scheduled, the business loan that she took out was ok, and that she was in the process of hiring more doctors. All of these reassurances that were made to the staff were the exact opposite of what Dr. Temple had told me each time I attempted to resign yet I chose to take the high road in that moment, thanked her for her mentorship and the opportunities given to me at Animal Care Hospital, and expressed that my decision was in the best interest of my family and self at this time. Although I felt the announcement without prior knowledge was unprofessional, I still wanted to leave on a good note with Dr. Temple and therefore chose to not address how my resignation was handled.

Amber Harings, CVT and lead technician/manager at that time, made the decision on her own to resign at the end of the shift following the announcement of my resignation. She informed me outside of work that evening that she had resigned and that she had asked the office manager, Ann Matherlee, to please "not do what you did to Dr. Kelly". Amber said that Ann agreed and Amber planned to finish her two weeks at Animal Care Hospital out professionally and let the staff know she was leaving to pursue a different aspect of veterinary medicine in order to further her skills and learn more. At no point did Amber and I plan to leave abruptly before finishing out the time we had given for our resignations.

The next morning, Tuesday, August 31st, Amber informed me through text message that a staff member was being pulled aside by Dr. Temple and whenever she would walk past them, they would immediately stop their conversation until she walked away. Amber was informed by another employee that Dr. Temple was informing the staff that Amber had resigned and was offering her position up. I asked Amber if Ann was at work yet so that she could clarify what was going on and she said that Ann had not yet arrived at the clinic. Amber was distraught in her communication to me that morning – she felt she had been lied to and the environment that Dr. Temple was creating by whispering about her with staff members was making her feel very awkward and uncomfortable. When I arrived at work that morning, Amber was still distraught over what was going on. I observed both Dr. Temple and at this point, Ann Matherlee, pulling employees aside to speak to them. I went to find Amber to make sure she was ok and she told me that the side meetings had continued and she no longer felt comfortable in the environment at work. She also stated that Ann Matherlee had gone against her word and therefore was creating further conflict and toxicity that made her uneasy about being in that type of environment for the next 2 weeks. I encouraged Amber to go and speak with Ann and offered to go with her as a witness. When Amber and I went into the office, Ann was alone and Amber asked if she could speak to her. Amber proceeded to ask Ann what was going on because an employee had shared that Dr. Temple and Ann were going around pulling employees aside to

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tell them that she had resigned. Ann confirmed that this was true. Amber asked her why they were doing this because she specifically asked Ann the night prior if she could tell the staff and Ann had agreed. Amber expressed to Ann that this was inappropriate and had made her feel very uncomfortable. Ann was very dismissive of Amber's concerns and replied to her that when we (Amber and I) chose to resign, we had then lost our rights. Up until this point I remained silent in the conversation while Amber calmly spoke to Ann, however, when Ann stated that Amber and I had lost our rights when we resigned, I immediately interjected. It became clear to me while listening to Ann as she was justifying the toxic, unsafe, and uncomfortable environment that they were creating since we both resigned, that she was not interested in being open to listening to Amber's valid concerns, and she had already made the decision that Amber and I would no longer have any rights going forward. I knew at that moment that there was going to be no way that either of us could stay any longer without this behavior continuing to escalate. Ann had just made it very clear with her words and treatment of Amber and I that we were no longer welcome in the clinic. I was upset at this point because of the abuse and mistreatment that had been going on for well over a year. I told Ann that she had created a toxic environment and one that was no longer suitable to work in, that she was the very reason that our employees were quitting because of her toxic behavior and poor treatment of our staff, and that when she heard that former employees stated that she was the problem she only laughed and ridiculed them behind their backs. I then said to Ann, "I'm leaving and I'm taking her with me" while pointing at Amber to which Ann replied "I know" and laughed. When speaking to Ann, I did raise my voice but there was no screaming. Amber never once raised her voice. There was no screaming and there was absolutely no cursing. Amber and I then walked out of Ann's office to go collect our belongings. I passed Dr. Temple in the treatment hallway as she was about to enter an exam room. When I saw Dr. Temple I said to her "Dr. Temple, Amber and I are leaving" to which she replied "Ok" and walked into the exam room. Again, there was no screaming nor was there any cursing of any kind in any interaction that day. Amber and I then immediately collected our belongings and left the property. We had no further interaction with any staff members. When leaving the clinic that day, there were two doctors on staff, Dr. Temple and a relief doctor, 5-6 technicians/technician assistants, and two receptionists.

More concerning with regard to my resignation and choice to walk out of the clinic is the decision that Dr. Temple made to file a board complaint about me based solely on hearsay, as she was not present for any of the interaction between Amber, Ann, and I, and why she is reporting information to the Arizona State Veterinary Medical Examining Board that is simply not true. Dr. Temple never reached out to myself nor Amber to discuss the events that transpired that day. Dr. Temple stated that her witnesses to how she has described the interaction took place were Andrea Markie (customer service representative) and Ann Matherlee (office manager). Andrea Markie was sitting at the front desk answering phone calls and speaking to clients. Andrea could not have heard the conversation between Ann, myself, and Amber as it was not a loud conversation nor was it even close to her proximity. There was absolutely no cursing nor any screaming and it is very disturbing to me that any of these individuals are stating otherwise. Furthermore, Dr. Temple is fully aware that Ann lies and exacerbates situations as she has stated just as much to me on numerous occasions. In fact, it has become a point of contention between the two of them, Dr. Temple and Ann, numerous times in the past.

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I have plenty of examples of the lies that Ann has told and how she exacerbates situations should they be needed to show a pattern of this behavior. Again, Dr. Temple made no attempt to find out why Amber and I were choosing to leave and never reached out to either of us thereafter. I do not know the reason that Dr. Temple chose not to reach out to me given our years of friendship, other than I assume she must be carrying a great deal of resentment towards me for making the decision to move on from Animal Care Hospital of Phoenix given the poor treatment I was and am continuing to receive since I turned in my resignation.

Further worth addressing is the final statement that Dr. Temple wrote in her allegation which states, "I was informed at lunch time that they were posting pictures on social media, drinking at a local restaurant." Amber and I did go out to a restaurant shortly after quitting Animal Care Hospital of Phoenix to attempt to process the events that had just transpired and mourn the way in which they did as neither of us ever thought this would be how our time at Animal Care would end. I am unsure as to why Dr. Temple felt making this statement was relevant to the Arizona State Veterinary Medical Examining Board as only one photo was posted on social media of three friends with no mention of or identifying features of Animal Care Hospital of Phoenix, Dr. Temple, or any of the events that had transpired. Dr. Temple again makes incorrect assumptions stating that more than one picture was posted and implying we were drinking which is completely irrelevant to the matter given no one in the photo was employed anymore and there was nothing illegal that transpired. The drinks pictured cannot even be identified as alcoholic vs. nonalcoholic for that matter. More importantly, Dr. Temple was not present for this interaction just as she was not present for the interaction between Ann Matherlee, myself and Amber. It is concerning to me that Dr. Temple is again reporting on a specific instance that she was not physically present for as she only heard about it through an unknown second party as she states, and that she is reporting false and inaccurate information to the licensing board multiple times in her statement against me.

Finally, the decision to leave Animal Care Hospital of Phoenix was not a decision that I made easily nor was it a decision I made in haste. I have spent the past two years struggling with the decision of whether or not I could continue at Animal Care based upon the practices that were going on, the toxic environment created by Dr. Temple and, within the past year, Ann Matherlee, and the mistreatment by both Dr. Temple and Arin Matherlee. I carried tremendous guilt at the thought of leaving Dr. Temple, who had been a mentor and friend to me up to this point, and Animal Care Hospital of Phoenix which has been my family vet since I was around 10 years old. When it was stated to Amber and I that we had lost our rights when we chose to resign, it was immediately clear that it would be impossible to stay and finish out our time at the clinic without further mistreatment and bullying. Amber and I chose to finally stand up for ourselves, our mental health, and overall well being by being brave enough to walk away from the toxicity and no longer allow management and Dr. Temple to continue to mistreat us.

I do not harbor any regret for leaving Animal Care Hospital. I am finally happy and enjoying the field of veterinary medicine again with tremendous support from my colleagues and support staff. The only regret I have in this entire situation is that I didn't have the courage to walk away sooner to have possibly avoided this situation and the constant continued conflict that has

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ensued by Dr. Temple. I am extremely saddened that my time at Animal Care had to end in such a horrific way with Dr. Temple but I truly hope she finds the closure that she needs to move forward without any further retaliation or harbored resentment.

I appreciate the board's time and attention to this matter. Please let me know if there is any further information that I can provide.

Sincerely,

Dr. Kristin Kelly

DOUGLAS A. DUCEY
- GOVERNOR -



VICTORIA WHITMORE
- EXECUTIVE DIRECTOR -

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

1740 W. ADAMS ST., STE. 4600, PHOENIX, ARIZONA 85007
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INVESTIGATIVE DIVISION REPORT

TO: Arizona State Veterinary Medical Examining Board

FROM: Investigative Division

RE: Case: 22-22

Complainant(s): Tara-Lyn Temple, DVM

Respondent(s): Kristen Kelly, DVM (License: 7521)

SUMMARY:

Complaint Received at Board Office: 9/10/21
Board Discussion: 11/17/21

APPLICABLE STATUTES AND RULES:

Laws as Amended August 2018
(Lime Green); Rules as Revised
September 2013 (Yellow).

On August 31, 2021, Respondent and another staff member walked out of the premises, Animal Care Hospital, where they were employed. Complainant stated that Respondent abandoned the patients that needed care that day and already scheduled appointments. Furthermore, medical records were left incomplete.

Respondent explained that she had submitted her resignation two days earlier. Due to the continued toxic environment, Respondent and a technical staff member chose to leave the premises and not return.

PROPOSED 'FINDINGS of FACT':

1. On August 31, 2021, Respondent and staff member, CVT Harings, walked out of the premises, Animal Care Hospital, where they were employed, quitting abruptly. Complainant stated that Respondent abandoned the patients that needed care that day and the already scheduled future appointments. Additionally, medical records were left incomplete.
2. Respondent stated that she had been employed at Animal Care Hospital since 2019. Prior to that, she and her family were clients at the premises. Respondent stated that during her time as an employee, she had been witness to and a victim of management bullying employees and spouses/significant others of employees – to their face and behind their backs. Additionally, Respondent witnessed personal and confidential information about employees being shared by management to other employees, management degrading clientele, and numerous medical errors by staff and doctors. She further stated that she was forced to work when COVID-19 positive and forced to lie and continue working.
3. Respondent stated that she had been unhappy for some time and attempted to sit down with Complainant several times to discuss her concerns. Complainant would promise to change each time but never followed through.
4. On August 28, 2021, Respondent emailed Complainant with her resignation in advance of giving her the hard copy and speaking with her. She resigned via email so she would not be talked into staying as she had been in the past. Respondent never received acknowledgment that Complainant received her resignation.
5. On August 30, 2021, Respondent arrived to work and began planning workups for her surgical patients. A short time, later Complainant announced to staff, in front of Respondent, that Respondent would be leaving and ensuring staff that their jobs were safe despite Respondent leaving.
6. After the announcement, CVT Harings made the decision to resign at the end of her shift, giving her two week notice. CVT Harings advised Respondent outside of work that evening, that she had resigned. She asked the office manager, Ms. Matherlee, to not disclose her resignation to other staff members.
7. On August 31, 2021, CVT Harings noticed that Complainant was pulling staff aside to speak to them; when CVT Harings would walk by they would stop talking until she walked away. This behavior made her feel awkward and uncomfortable. She expressed her feelings to Respondent prior to her arriving to work. When Respondent arrived to work, she also observed Complainant pulling staff aside to quietly speak with them. Respondent encouraged CVT Harings to speak with Ms. Matherlee about the conduct. Respondent and CVT Harings went into the office where Ms. Matherlee was alone to discuss the concerns.

8. Ms. Matherlee confirmed that staff was being advised that CVT Harings was leaving. Ms. Matherlee felt it was her and Complainant's responsibility to inform staff in a professional manner that CVT Harings was leaving and answer questions they had regarding the security of their employment. Respondent remained silent until Ms. Matherlee stated that CVT Harings and Respondent lost their rights on how these matters were handled once they chose to resign.

9. Respondent was upset; she felt she and CVT Harings were no longer welcome at the premises. The toxic behavior and poor treatment would continue. Respondent admitted to raising her voice, but did not scream, and advised Ms. Matherlee that she was leaving and taking CVT Harings with her. There was no cursing or screaming. They collected their belongings and left the premises; as they walked by Complainant, Respondent stated that they were leaving. Respondent stated that there were two doctors at the premises, 5 – 6 technical staff members, and two receptionists.

10. CVT Harings's statement supported Respondent's narrative.

11. Complainant and Ms. Matherlee contend that Respondent was screaming and cursing within ear shot of staff and clients prior to abruptly departing. According to Respondent and Ms. Harings, Complainant was not present during the conversation with Ms. Matherlee in the office. Reception staff Ms. Markie provided a statement stating she heard Respondent yelling and cursing at Ms. Matherlee.

12. Respondent stated that she was saddened that her time at the premises ended the way it did but she could no longer stay in a toxic environment and endure further mistreatment and bullying.

The information contained in this report was obtained from the case file, which includes the complaint, the respondent's response, any consulting veterinarian or witness input, and any other sources used to gather information for the investigation.

TR

Tracy A. Riendeau, CVT
Investigative Division